

# Exhibit I:

Approved, SCAO

Original - Court file  
1st copy - Assignment clerk/Ex.  
2nd copy - Friend of the court/Extra3rd copy - Opposing party  
4th copy - Moving party

<b>STATE OF MICHIGAN</b> <b>JUDICIAL CIRCUIT</b> 45th <b>JUDICIAL DISTRICT</b> <b>COUNTY</b>	<b>NOTICE OF HEARING AND MOTION</b>	<b>CASE NO.</b> 22-00061GC Judge Michelle Friedman Appel
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**Court address**  
13600 Oak Park BLVD, Oak Park, MI 48237
**Court telephone no.**

(248)691-7440

<b>Plaintiffname(s)</b> JP Morgan Chase Bank, N.A.	
<b>Plaintiff's attorney, bar no., address, and telephone no.</b> 866-757-4738	P-82443
Mandarich Law Group, LLP James McArdle P.O. Box 109032, Chicago, IL 60610	

v

<b>Defendantname(s)</b> Katrina Bergunder	
<b>Defendant's attorney, bar no., address, and telephone no.</b> pro per 24674 Republic Ave Oak Park, MI 48237 773-853-7085	

**NOTICE OF HEARING**1. Motion title: Motion to exclude witness and dismiss2. Moving party: Katrina Bergunder, defendant

3. This matter has been placed on the motion calendar for:

<b>Judge</b> Judge Michelle Friedman Appel <b>Hearing location</b> <input checked="" type="checkbox"/> Court address above <input type="checkbox"/>	<b>Bar no.</b> 32709	<b>Date</b> 02/21/2023	<b>Time</b> 10:30 AM
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4. If you require special accommodations to use the court because of disabilities, please contact the court immediately to make arrangements.

**MOTION**

I move the court to consider motion to exclude the witness and dismissal of case with prejudice. I move to exclude the witness because without contact information there is no way to find out what they claim to know.

The court ordered discovery, among other items needed to proceed is the document upon which the plaintiff predicates its theory of liability. The court ordered that it be produced. It has not been produced. Defendant cannot prepare for trial dealing with a non-existent document. The case should be dismissed with prejudice, pursuant to MCR 2.313 and MCR 2.504(B)(1) which the latter is withheld by the Michigan Court of Appeals case Grubor Enterprises, Inc v Kortidis\*, 201 Mich App 625, 428 B 9, 506 NW2d 614 (1993). Defendant should be awarded costs.

\*Should be italicized but SCAO form does not permit formatting

02/08/2023  
Date

[Signature]  
/s/ Signature
**CERTIFICATE OF MAILING**

I certify that on this date I served a copy of this notice of hearing and motion on the parties or their attorneys by first-class mail addressed to their last-known addresses as defined by MCR 2.107(C)(3).

02/08/2023  
Date

[Signature]  
/s/ Signature